

## **REMARKS**

In view of the above amendments and following remarks, reconsideration and further examination are requested.

In reply to the drawing objection as expressed on pages 3-4 of the Office action: claims 52 and 69 have been cancelled so as to delete from the claims subject matter not shown in Figure 2; and a new formal replacement drawing (Figure 2A) has been provided which shows the non-vertical arrangement as required by allowable claims 41 and 58. With regard to new Figure 2A, on October 20, 2005, Applicants' undersigned representative contacted Examiner Rinehart by telephone and discussed generally whether the subject matter of this figure would be accepted, or whether it would be construed to be new matter. Examiner Rinehart indicated that the subject matter as now shown in Figure 2A would be accepted. No new matter is added by Figure 2A.

In view of new Figure 2A, the substitute specification has been amended at pages 7 and 11. No new matter is added by these amendments to the specification.

Claims 37-40, 42, 54-57 and 59 were rejected under 35 U.S.C. § 102(b) as being anticipated by Klaschka; claims 37, 38, 52, 54, 55 and 69 were rejected under 35 U.S.C. § 102(b) as being anticipated by JP '953; claims 53 and 70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP '953; and claims 41 and 58 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, without acquiescing to the appropriateness of the prior art rejections issued by the Examiner, and solely to further advance prosecution of this application: claim 37 has been amended to include therein the subject matter added by allowable claim 41; claim 54 has been amended to include therein the subject matter added by allowable claim 58; and claims 39-51 and 56-68 have been cancelled.

Accordingly, because the drawing objections have been obviated, and because only claims remain which include subject matter indicated by the Examiner to be allowable, it is respectfully submitted that the application is now in condition for allowance, with the allowed claims being 37, 38, 53-55 and 70, and an early Notice of Allowance is earnestly solicited.


If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

Norihisa MIYOSHI et al.

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TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

By: \_\_\_\_\_



Joseph M. Gorski  
Registration No. 46,500  
Attorney for Applicants

JMG/nka  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
November 25, 2005

**AMENDMENTS TO THE DRAWINGS**

*A new formal drawing for Figure 2A has been filed concurrently.*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Mail Stop: AF**  
Norihiisa MIYOSHI et al. : **Confirmation No. 5261**  
Serial No. 10/808,414 : Attorney Docket No. 2004\_0469A  
Filed March 25, 2004 : Group Art Unit 3749  
INCOMBUSTIBLE WITHDRAWING : Examiner Kenneth Rinehart  
SYSTEM

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**SUBMISSION OF REPLACEMENT FORMAL DRAWING**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

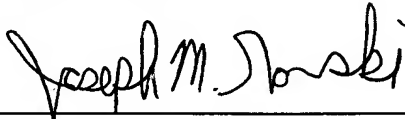
THE COMMISSIONER IS AUTHORIZED  
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ACCOUNT NO. 23-0975

Sir:

A sheet of formal (A4 paper) drawing (Fig. 2A) is submitted herewith.

Respectfully submitted,

Norihiisa MIYOSHI et al.

By:   
Joseph M. Gorski  
Registration No. 46,500  
Attorney for Applicants

JMG/nka  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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